

**CASE NUMBER 15SN0665**  
**APPLICANT: Henry E. Myers, Jr.**



**STAFF'S ANALYSIS  
AND  
RECOMMENDATION**

**Board of Supervisors (BOS)**

**Public Hearing Date:**

AUGUST 26, 2015

**BOS Time Remaining:**

365 DAYS

**Applicant's Agent:**

BENJAMIN MYERS  
(804-777-9644)

**Applicant's Contact:**

HENRY E. MYERS, JR  
(804-777-9644)

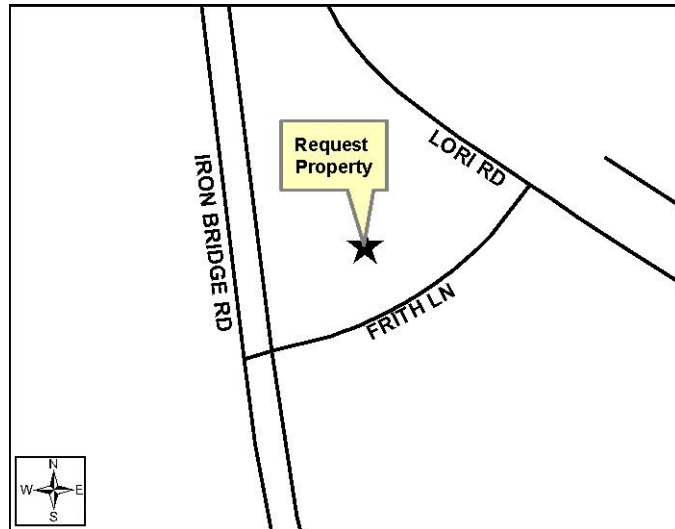
**Planning Department Case Manager:**

RYAN RAMSEY (804-768-7592)

**CHESTERFIELD COUNTY, VIRGINIA**

Magisterial District: **DALE**

9800 Lori Road



**APPLICANT'S REQUEST**

Rezoning from Agricultural (A) to Community Business (C-3).

Commercial uses are planned.

**Note:**

The only condition that may be imposed is a buffer condition. The property owner may proffer conditions.

**RECOMMENDATION**

PLANNING  
COMMISSION  
(7/21/2015)

**RECOMMEND DENIAL**

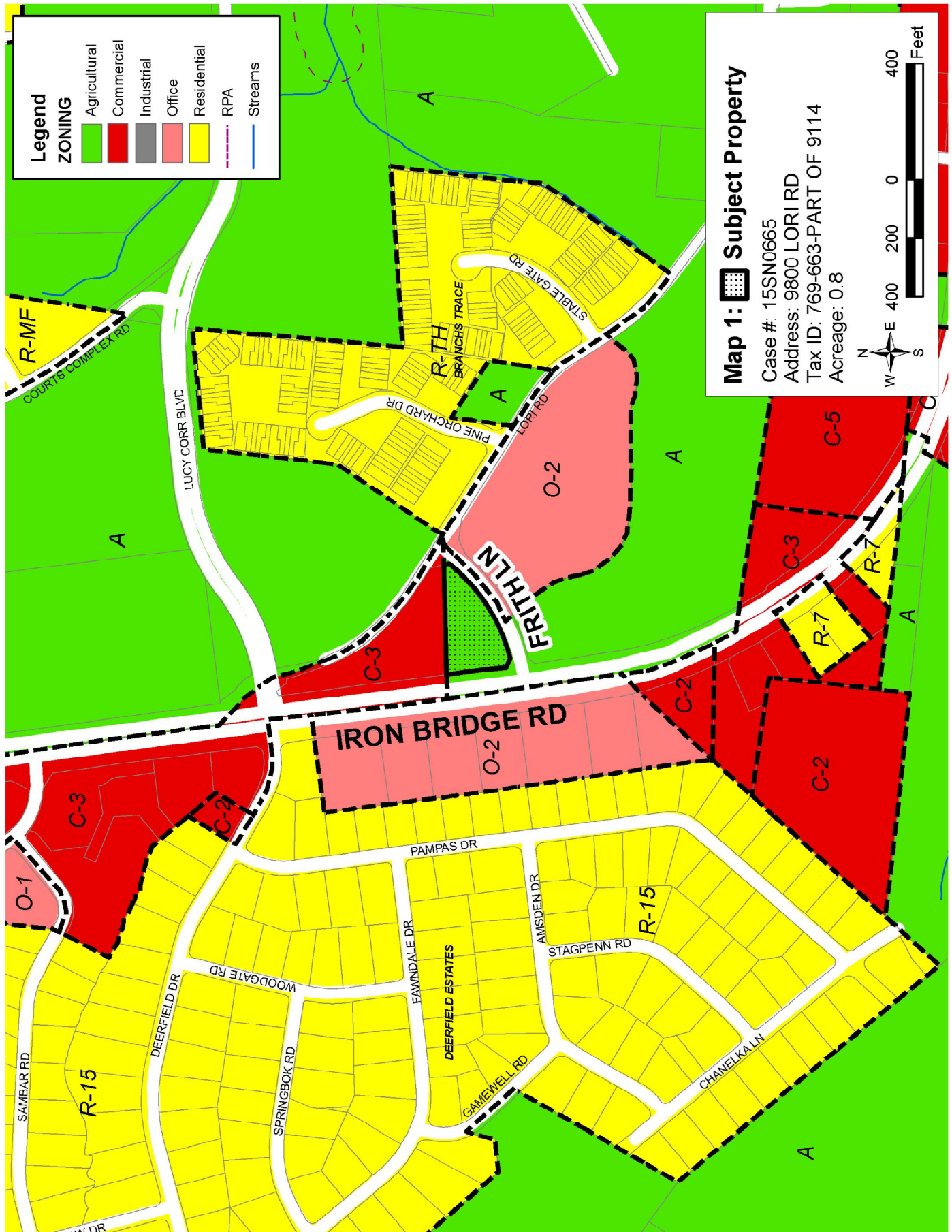
- Does not address possible impacts of use on area development

STAFF

**RECOMMEND DENIAL**

- Does not comply with Plan
- Does not address possible impacts of use on area development
- Incompatible with area office and residential development

SUMMARY OF IDENTIFIED ISSUES	
Department	Issue
PLANNING	<ul style="list-style-type: none"> <li>• The <u>Plan</u> suggests Corporate Office uses for the request property</li> <li>• No conditions offered by the applicant to address possible adverse impacts on area properties</li> <li>• Proposed uses are not compatible with existing or anticipated area development</li> </ul>
FIRE	-
CDOT	<ul style="list-style-type: none"> <li>• Commitments to provide mitigating road improvements for the anticipated traffic impact have not been offered.</li> </ul>
VDOT	-
UTILITIES	-
ENVIRONMENTAL ENGINEERING	<ul style="list-style-type: none"> <li>• The ability to achieve adequate drainage on the property remains unclear</li> <li>• No conditions offered by applicant to assure that adequate drainage can be achieved</li> </ul>

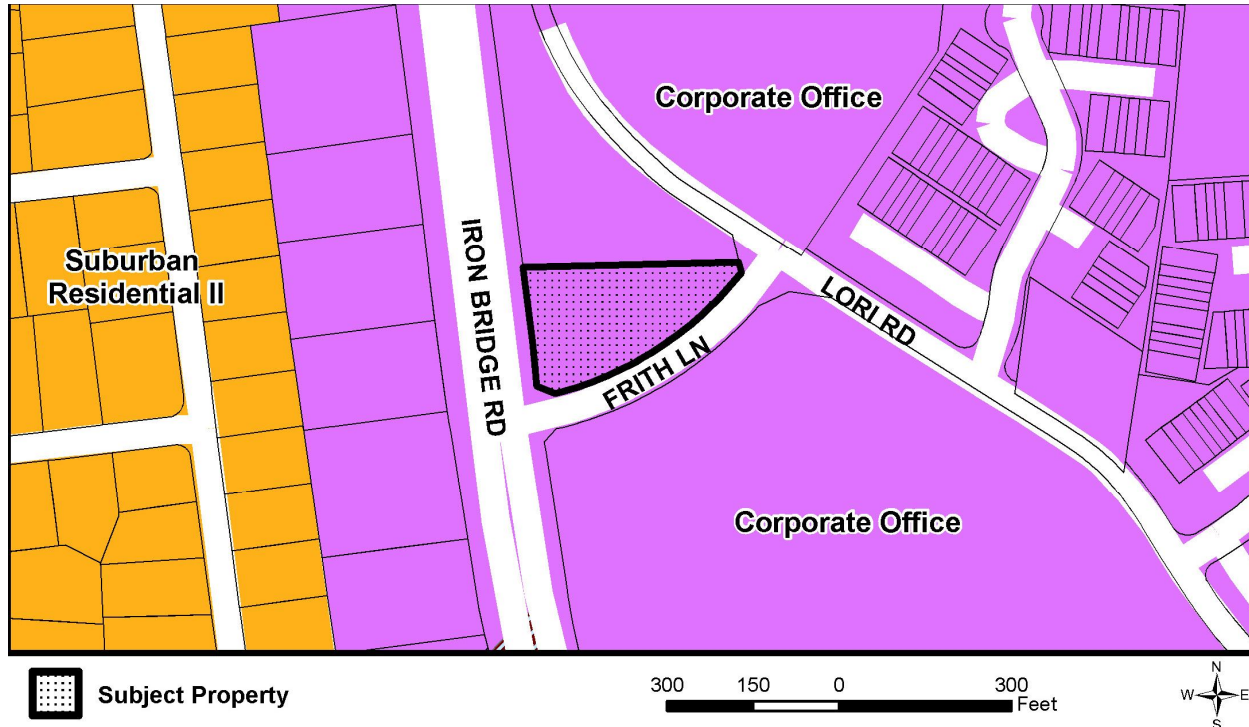




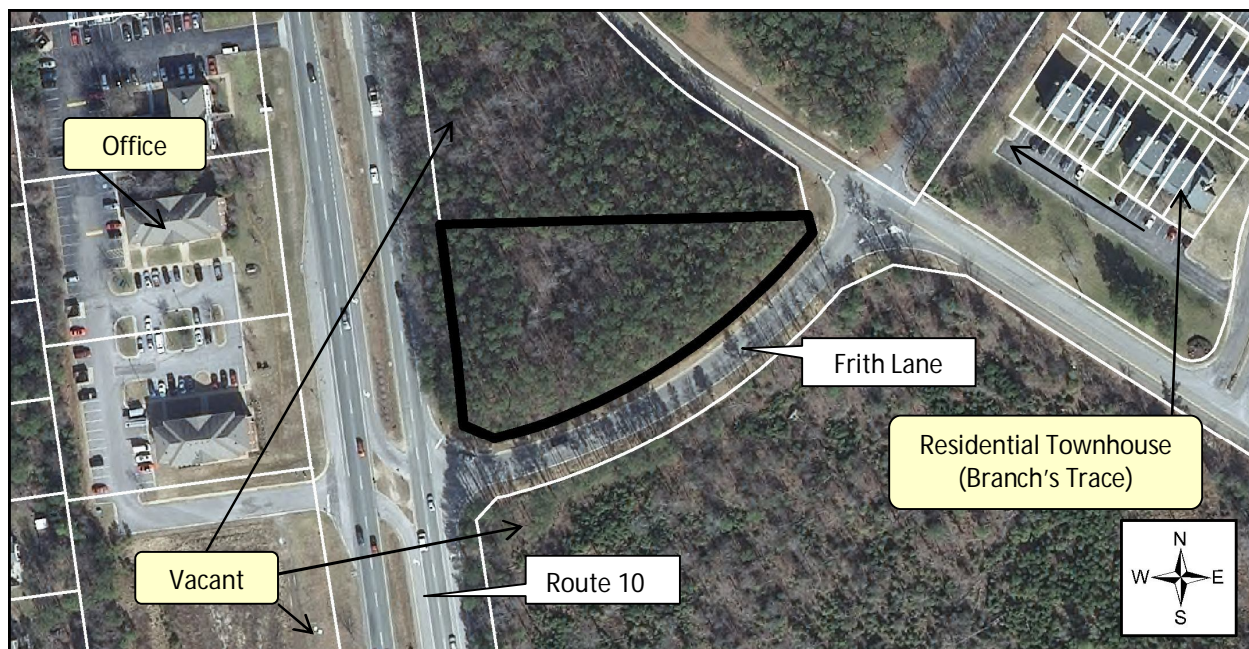
## Map 2: Comprehensive Plan

Classification: **CORPORATE OFFICE**

The designation suggests the property is appropriate for professional and administrative offices or similar uses. Typical uses could include corporate headquarters, lawyer, accountant and real estate offices; medical laboratories; and colleges. Under certain circumstances, within larger tracts developed for office uses, integrated supporting retail and service uses.



## Map 3: Surrounding Land Uses & Development



## PLANNING

Staff Contact: Ryan Ramsey (804-768-7592) ramseyrp@chesterfield.gov

### ZONING HISTORY

Case Number	BOS Action	Request
91SN0199	Denied (05/27/1992)	Rezoning from A and B-2 to C-3 of 6 acres (including all of the request property) to permit Neighborhood Business (C-2) uses and one (1) automobile service station.

### PROPOSAL

A commercial development is planned for the request property as well as the remainder of the parent parcel that is located to the north which is owned by the applicant and zoned Community Business (C-3). A conceptual plan of development for the approximately 2.2 acres of combined property has not been formally included with this zoning request.

The Plan suggests providing flexibility in zoning requests where the request would bring the zoning and development closer into compliance with the land use recommendations of the Plan. By including the adjacent C-3 portion of the parent parcel, limitations on permitted commercial uses and enhancement of development standards could be considered in tandem with this rezoning in an effort to align more closely with the recommendations of the Plan and to achieve compatibility with existing and anticipated area development patterns. The applicant elected to pursue rezoning independent of the remainder of parent parcel.

### DEVELOPMENT STANDARDS

The request property lies within an Emerging Growth Area. Development on the request property and the remainder of the subject parcel to the north will be required to meet the standard setbacks, architectural treatment and height requirements for Emerging Growth Areas.

## PUBLIC FACILITIES

### FIRE SERVICE

Staff Contact: Greg Smith (804-706-2012) smithgd@chesterfield.gov

### Nearby Fire and Emergency Medical Service (EMS) Facilities

<b>Fire Station</b>	The Airport Fire Station, Company Number 15
<b>EMS Facility</b>	The Airport Fire Station, Company Number 15

This request will have minimal impact on fire and EMS.

### COUNTY DEPARTMENT OF TRANSPORTATION

Staff Contact: Jim Banks (804-748-1037) banksj@chesterfield.gov

The Comprehensive Plan, which includes the Thoroughfare Plan, identifies county-wide transportation needs that are expected to mitigate traffic impacts of future growth. The anticipated traffic impact of the proposal has been evaluated and recommendations are detailed in the chart below:

Recommendation	Applicant's Proposal
Right of Way Dedication <ul style="list-style-type: none"><li>100 feet along Route 10.</li></ul>	Not Offered
Vehicular Access Control <ul style="list-style-type: none"><li>No direct access to Route 10.</li></ul>	Not Offered
Road Improvements <ul style="list-style-type: none"><li>Construction of an additional lane of pavement along Route 10.</li><li>Construction of a sidewalk along Route 10 and along Frith Lane.</li></ul>	Not Offered

**VIRGINIA DEPARTMENT OF TRANSPORTATION**

Staff Contact: Brian Lokker (804-674-2384) brian.lokker@vdot.virginia.gov

**VDOT Land Use Regulations**

Traffic Impact Analysis (24VAC30-155)	-
Access Management (24VAC30-73)	Access to the rezoned parcel is subject to compliance with Department Access Management spacing standards between access points/intersections and providing turn lanes as warranted. Sufficient parcel frontage exists off of Frith Ln. to meet current spacing standards. However, inadequate frontage is available along Rt. 10. VDOT will evaluate the access location and turn lane warrants at time of site plan.
Subdivision Street Acceptance (24VAC30-91/92)	-
Land Use Permit (24VAC30-151)	-
Summary	-

**WATER AND WASTEWATER SYSTEMS**

Staff Contact: Jamie Bland (804-751-4439) blandj@chesterfield.gov

The proposal's impacts on the County's utility system are detailed in the chart below:

<b>Water and Wastewater Systems</b>			
	<b>Currently Serviced?</b>	<b>Size of Existing Line</b>	<b>Connection Required by County Code?</b>
<b>Water</b>	No	8"	Yes
<b>Wastewater</b>	No	8"	Yes

Additional Information:

The proposed request will not impact the public water and wastewater systems.

## ENVIRONMENTAL

### Drainage, Erosion and Water Quality

Staff Contact: Doug Pritchard (804-748-1028) pritchardd@chesterfield.gov

Stormwater	
Issue	Discussion/Conditions
Geography	Property is exceedingly flat, low and consequently, poorly drained.
Drainage	<ul style="list-style-type: none"><li>• The ability to achieve the Virginia Stormwater Management Regulations with a drainable adequate outfall is unclear, given the limited site outflow capacity and elevation as noted below. Staff has requested a proffered condition requiring a conceptual drainage study demonstrating the feasibility of using existing limited drainage conveyance systems to achieve a project that meets all required development regulations.</li><li>○ Portions of the adjacent Central Library drain across the request property to reach a pipe stub into a storm sewer under Route 10. The capacity of this pipe stub is unknown and could be quite limited. An easement across the request property to maintain this conveyance from the library will be required.</li><li>○ Ground elevation of the property appears to be below the invert elevation of two drainage pipes under Frith Lane which are sloped to the east. Also, stormwater from Iron Bridge Road and surrounding areas drains into the property and collects.</li><li>○ A hydraulic head on either the pipe stub at the western corner or the double culverts under Frith Lane requires an abundant quantity of fill material to raise the property.</li><li>○ A drainable outfall for the project may be via an existing offsite culvert under Lori Road which traverses Branch's Trace Subdivision and discharges into a stream on county property in the vicinity of the Mental Health Offices.</li><li>○ A likely location for a stormwater management facility to accommodate this development would be on the downstream side of the culverts under Frith Lane, with ultimate outfall under Lori Road as well as the narrow northern portion of the property.</li></ul>



The anticipated environmental impacts of the proposal have been evaluated and recommendations are detailed in the chart below:

Recommendation	Applicant's Proposal
<p>Conceptual Drainage Study</p> <ul style="list-style-type: none"> <li>• Proposal will not adversely impact the drainage for the Central Library parking lot and Lori Road</li> <li>• Proposal will meet all required development regulation applicable since July 1, 2014</li> <li>• Restrict the construction limits of the proposal to 9800 Lori Road only (exclude additional land area, such as using a portion of the Central Library and vacated Lori Road for development)</li> <li>• Should the conceptual drainage study reveal the need to use an existing 54" pipe under Lori Road, provide a complete analysis of the stormwater conveyance system through the Branch's Trace subdivision to the discharge point on Chesterfield County property (GPIN# 771-663-0736).</li> </ul>	<p>Not Offered</p>
<p>Drainage Easement</p> <ul style="list-style-type: none"> <li>• Record a drainage easement across the northern portion of 9800 Lori Road to maintain the stormwater conveyance system for the Central Library parking lot and Lori Road</li> </ul>	<p>Not Offered</p>

CASE HISTORY	
Applicant Submittals	
5/12/15	Application submitted
Community Meeting	
6/29/15	<p><b>Issues Discussed</b></p> <ul style="list-style-type: none"> <li>• The Dale District Commissioner, applicant and staff attended this meeting at the Central Library</li> <li>• Citizens spoke in opposition to the request relative to: increased traffic, proposed uses, hours of operation for business uses, loss of vegetation that provides privacy to the Branch's Trace neighborhood, and the feasibility of development on the request property.</li> </ul>
Planning Commission Meeting	
7/21/15	<p><b>Citizen Comments</b></p> <p>Two citizens spoke in opposition of this case, noting that uses may have adverse impacts on area properties, environmental concerns relative to drainage, existing vacancies for retail property along the Route 10 and a petition of opposition.</p> <p><b>Commission Discussion</b></p> <p>The Commission noted their opposition for this case given that the applicant has not offered to offset any of the developments impacts to include environmental and transportation concerns</p> <p><b>Recommendation – DENIAL</b></p> <p><b>Motion:</b> Brown    <b>Second:</b> Waller  <b>AYES:</b> Gulley, Waller, Brown and Wallin  <b>ABSENT:</b> Patton</p>
The Board of Supervisors on Wednesday, August 26, 2015, beginning at 6:30 p.m., will consider this request.	